THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.22852 of 2006

Dated: 03-11-2006

Between:

L. Ramalaxmamma and others.

..... PETITIONERS

AND

The Chief Commissioner of Land Administration, Hyderabad and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.22852 of 2006

ORDER:

The two petitioners were assigned agricultural land in survey Nos.1647/2 and 1647/3 and 1648/2 in 1988. Respondent No.2, namely, the Revenue Divisional Officer (RDO), Rajampet, cancelled assignment, aggrieved by which they unsuccessfully filed appeal before the Joint Collector, who dismissed the appeal on 24-04-2006. Therefore, they filed revision petition along with an application for stay of all further proceedings before respondent No.1, who rejected the stay application by impugned order dated 30-10-2006. This is assailed in the present writ petition.

It is the case of the petitioners that they have been in possession of the land assigned to them since 1988. The learned counsel for the petitioners submits that if by reason of the orders passed by RDO as confirmed by the Joint Collector the petitioners are dispossessed from the land and the land is assigned to third parties, their revision petition before respondent No.1 would be rendered useless. This Court finds force in the said submission. The learned Assistant Government Pleader for Revenue (Assignment) points out that as the matter stands posted to
28-11-2006 before respondent No.1, the petitioners can request respondent No.1 for expeditious disposal of the revision petition itself.

There is no dispute about the fact that the petitioners have been in possession of the land since 1988. If during the pendency of the revision petition before respondent No.1, the petitioners are dispossessed and the land is assigned to third parties, there is certainly hardship to the petitioners in the event of their success in the revision petition. Therefore, this Court is of the considered opinion that there should be *status quo* as on today regarding possession for a period of one month from today. This Court also observers that respondent No.1 may dispose of the revision petition itself finally on 28-11-2006, so that there should be some finality for the case.

The writ petition, with the above observations and directions, is accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

03rd November, 2006

Note: Issue CC by 06-11-2006.

B/o

ghn